

**NOTICE OF PROPOSED WATER POLLUTION CONTROL PERMIT
FOR THE KULALANI AT MAUNA LANI RESORT
ISLAND OF HAWAII, HAWAII**

NPDES PERMIT NO. HI S000047

05-CW-PW-09

April 21, 2005

The State Department of Health ("DOH"), tentatively proposes to issue a National Pollutant Discharge Elimination System ("NPDES") permit to discharge storm water runoff from the Kulalani at Mauna Lani Resort ("Project") to receiving State waters, subject to special conditions to:

**SCD ML II, LLC
Alakea Corporate Tower
1100 Alakea Street, 27th Floor
Honolulu, Hawaii 96813**

The proposed draft permit will expire on **December 31, 2008**.

The proposed Project is a residential development project within an area of approximately 25 acres in the South Kohala district on the Island of Hawaii. The development will consist of 126 multi-family units within 24 buildings, landscaping, and utility installation.

Storm water run-off associated with construction activities from the Project is permitted to discharge between the following discharge points after implementation of Best Management Practices:

Pacific Ocean, Marine, Class AA, Latitude 19°56'57"N and Longitude 155°51'57"W, and
Pacific Ocean, Marine, Class AA, Latitude 19°56'55"N and Longitude 155°52'00"W

The Pacific Ocean discharge points are classified by the DOH as Class AA, Marine Water for Embayment. The objective of Class AA waters is to remain in their natural state as nearly as possible with an absolute minimum of pollution from any human-caused source.

Persons wishing to comment upon or object to the proposed NPDES permit or to request a public hearing, should submit their comments or requests in writing no later than 30 days after the date of this notice, either in person or by mail, to:

Office Address:

Clean Water Branch
Environmental Management Division
Department of Health
919 Ala Moana Boulevard
Room 301
Honolulu, HI 96814-4920

Mailing Address:

Clean Water Branch
Environmental Management Division
Department of Health
P.O. Box 3378
Honolulu, HI 96801-3378

Copies of the proposed draft permit, and other information are available for public inspection, Monday through Friday (excluding holidays) from 7:45 a.m. until 4:15 p.m., at the DOH office address shown above, and at the Hawaii District Health Offices located at 1582 Kamehameha Avenue, Hilo, HI 96720, and at the Keakealani Building, 79-1020 Haukapila Street, Room 109, Kealahou, HI 96750. Copies may be bought. The draft permit and fact sheet are also available on the internet at <http://www.state.hi.us/doh/eh/cwb/pubntcs/index.html>. For more information or if you have special needs due to disability that will aid you in inspecting and/or commenting on the draft permit and related information, please contact Mr. Alec Wong, Supervisor of the Engineering Section, Clean Water Branch, at the above address or (808) 586-4309 (Voice) at least seven (7) days before the comment deadline. For those who use a TTY/TDD, please call through Verizon-Hawaii Telephone Relay Service, at 1-711 or (808) 643-8822.

All comments and requests received on time will be considered. If DOH determines that there is significant public interest, a public hearing may be held after at least 30 days of public notice.

If DOH's position is substantially unchanged after considering all timely written comments and all oral comments at any public hearing that may be held, then the DOH will issue the NPDES permit and this action will be final.

Please notify anyone you know who would be interested in this matter.

Chiyo Leinaala Fukino, M. D.
Director of Health